

Senate Engrossed

**FILED**

**KEN BENNETT  
SECRETARY OF STATE**

State of Arizona  
Senate  
Fiftieth Legislature  
First Regular Session  
2011

CHAPTER 22

# **SENATE BILL 1364**

AN ACT

AMENDING TITLE 11, CHAPTER 2, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 11-269.10; AMENDING SECTION 33-1809, ARIZONA REVISED STATUTES; RELATING TO COUNTY BOARDS OF SUPERVISORS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 11, chapter 2, article 4, Arizona Revised Statutes,  
3 is amended by adding section 11-269.10, to read:

4 11-269.10. Parking: public service and public safety emergency  
5 vehicles; definition

6 A. NOTWITHSTANDING ANY PROVISION IN RULE OR ORDINANCE, A COUNTY SHALL  
7 NOT PROHIBIT A RESIDENT FROM PARKING A MOTOR VEHICLE ON A STREET OR DRIVEWAY  
8 IN THE COUNTY IF THE VEHICLE IS REQUIRED TO BE AVAILABLE AT DESIGNATED  
9 PERIODS AT THE PERSON'S RESIDENCE AS A CONDITION OF THE PERSON'S EMPLOYMENT  
10 AND EITHER OF THE FOLLOWING APPLIES:

11 1. THE RESIDENT IS EMPLOYED BY A PUBLIC SERVICE CORPORATION THAT IS  
12 REGULATED BY THE CORPORATION COMMISSION, AN ENTITY REGULATED BY THE FEDERAL  
13 ENERGY REGULATORY COMMISSION OR A MUNICIPAL UTILITY AND THE PUBLIC SERVICE  
14 CORPORATION, FEDERALLY REGULATED UTILITY OR MUNICIPAL UTILITY IS REQUIRED TO  
15 PREPARE FOR EMERGENCY DEPLOYMENTS OF PERSONNEL AND EQUIPMENT FOR REPAIR OR  
16 MAINTENANCE OF NATURAL GAS, ELECTRICAL, TELECOMMUNICATIONS OR WATER  
17 INFRASTRUCTURE, THE VEHICLE HAS A GROSS VEHICLE WEIGHT RATING OF TWENTY  
18 THOUSAND POUNDS OR LESS AND IS OWNED OR OPERATED BY THE PUBLIC SERVICE  
19 CORPORATION, FEDERALLY REGULATED UTILITY OR MUNICIPAL UTILITY AND THE VEHICLE  
20 BEARS AN OFFICIAL EMBLEM OR OTHER VISIBLE DESIGNATION OF THE PUBLIC SERVICE  
21 CORPORATION, FEDERALLY REGULATED UTILITY OR MUNICIPAL UTILITY.

22 2. THE RESIDENT IS EMPLOYED BY A PUBLIC SAFETY AGENCY; INCLUDING  
23 POLICE OR FIRE SERVICE FOR A FEDERAL, STATE, LOCAL OR TRIBAL AGENCY OR A  
24 PRIVATE FIRE SERVICE PROVIDER OR AN AMBULANCE SERVICE PROVIDER THAT IS  
25 REGULATED PURSUANT TO TITLE 36, CHAPTER 21.1, AND THE VEHICLE HAS A GROSS  
26 VEHICLE WEIGHT RATING OF TEN THOUSAND POUNDS OR LESS AND BEARS AN OFFICIAL  
27 EMBLEM OR OTHER VISIBLE DESIGNATION OF THAT AGENCY.

28 B. FOR THE PURPOSES OF THIS SECTION, "TELECOMMUNICATIONS" MEANS THE  
29 TRANSMISSION OF INFORMATION OF THE USER'S CHOOSING BETWEEN OR AMONG POINTS  
30 SPECIFIED BY THE USER WITHOUT CHANGE IN THE FORM OR CONTENT OF THE  
31 INFORMATION AS SENT AND RECEIVED. TELECOMMUNICATIONS DOES NOT INCLUDE  
32 COMMERCIAL MOBILE RADIO SERVICES.

33 Sec. 2. Section 33-1809, Arizona Revised Statutes, is amended to read:

34 33-1809. Parking: public service and public safety emergency  
35 vehicles; definition

36 A. Notwithstanding any provision in the community documents, an  
37 association shall not prohibit a resident from parking a motor vehicle on a  
38 street or driveway in the planned community if the vehicle is required to be  
39 available at designated periods at the person's residence as a condition of  
40 the person's employment and either of the following applies:

41 1. The resident is employed by a public service corporation that is  
42 regulated by the corporation commission, AN ENTITY REGULATED BY THE FEDERAL  
43 ENERGY REGULATORY COMMISSION or a municipal utility and the public service  
44 corporation or municipal utility is required to prepare for emergency  
45 deployments of personnel and equipment for repair or maintenance of natural

1 gas, electrical, telecommunications or water infrastructure, the vehicle has  
2 a gross vehicle weight rating of twenty thousand pounds or less and is owned  
3 or operated by the public service corporation or municipal utility and the  
4 vehicle bears an official emblem or other visible designation of the public  
5 service corporation or municipal utility.

6 2. The resident is employed by a public safety agency, including  
7 police or fire service for a federal, state, local or tribal agency or a  
8 private fire service provider or an ambulance service provider that is  
9 regulated pursuant to title 36, chapter 21.1, and the vehicle has a gross  
10 vehicle weight rating of ten thousand pounds or less and bears an official  
11 emblem or other visible designation of that agency.

12 B. For the purposes of this section, "telecommunications" means the  
13 transmission of information of the user's choosing between or among points  
14 specified by the user without change in the form or content of the  
15 information as sent and received. Telecommunications does not include  
16 commercial mobile radio services.

APPROVED BY THE GOVERNOR APRIL 6, 2011.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 7, 2011.

Passed the House April 4, 20 11,

by the following vote: 58 Ayes,

1 Nays, 1 Not Voting

[Signature]  
Speaker of the House

Cheryl Laube  
Chief Clerk of the House

Passed the Senate March 2, 20 11,

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

[Signature]  
President of the Senate

Charmine Bellington  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

5 day of April, 20 11,

at 4:40 o'clock P. M.

[Signature]  
Secretary to the Governor

Approved this 6th day of

April, 20 11,

at 4:25 o'clock P. M.

[Signature]  
Governor of Arizona

S.B. 1364

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 7th day of April, 20 11,

at 12:18 o'clock P. M.

[Signature]  
Secretary of State